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Counsel for Plaintiff/Counter-Defendant
Natural Selection Foods, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NATURAL SELECTION FOODS, LLC dba
EARTHBOUND FARMS,

Plaintiff/Counter-Defendant,

vs.

RIVER RANCH FRESH FOODS, LLC.,

Defendant/ Counter-Plaintiff.

Case No.: 5:07-cv-02548-JW

PROOF OF SERVICE

Date: Monday, November 5, 2007
Time: 9:00 a.m.
Location: Robert F. Peckham Federal
Building and United States
Courthouse
Courtroom 8, 4th Floor
280 South First Street
San Jose, CA 95113

I am a citizen of the United States and a resident of the State of California. I am employed in San Francisco County, State of California, in the office of a member of the bar of this Court, at whose direction the service was made. I am over the age of eighteen years, and not a party to the within action. My business address is Cooley Godward Kronish LLP, 101

1 California Street, 5th Floor, San Francisco, California 94111-5800. On the date set forth below
2 I served the documents described below in the manner described below:

- 3 • **RE-FILED MOTION TO DISMISS COUNTERCLAIMS AND TO STRIKE AFFIRMATIVE**
4 **DEFENSES**
- 5 • **[PROPOSED] ORDER GRANTING MOTION TO DISMISS COUNTERCLAIMS AND TO**
6 **STRIKE AFFIRMATIVE DEFENSES**

7 ☒ (BY U.S. MAIL) I am personally and readily familiar with the business practice of
8 Cooley Godward Kronish LLP for collection and processing of correspondence
9 for mailing with the United States Postal Service, and I caused such envelope(s)
10 with postage thereon fully prepaid to be placed in the United States Postal Service
11 at San Francisco, California.

12 on the following part(ies) in this action:

13 *Counsel for Defendant River Ranch Fresh Foods, LLC*

14 Joseph Choate, Jr.
15 Robert P. Lewis, Jr.
16 Bradley L. Cornell
17 CHOATE & CHOATE
18 2596 Mission Street, Suite 300
19 San Marino, CA 91108-1679

20 Executed on August 10, 2007, at San Francisco, California.

21 /s/ Myrna M. Yee

22 Myrna M. Yee